

R\_marks/Arguments

Claims 17-37 remain pending in the application. Claims 18, 22, 24, 25, 30 and 37 stand withdrawn; claims 17, 19-21, 23, 26-29 and 31-36 stand rejected. Applicants have hereby amended the specification and amended claim 29. New claims 38, 39 and 40 are directed to corresponding compositions of the compounds of claims 17 and 29, support for which is found on page 17, lines 5-12.

The specification has been amended on pages 15, 40 and 41. Specifically, the amendment on page 15, line 3, serves to correct the listing of Example numbers. The amendments on pages 40 and 41 serve to correct an inadvertent omission of the 8-hydroxy group in the nomenclature of Examples 19(b), 20(b) and 21(b). Support for this amendment is apparent in reaction step (b) of each of these Examples. This reaction step provides for the removal of the benzyl protecting group, thereby producing the de-protected 8-hydroxy group, by a procedure analogous to the final reaction step of Example 1 on pages 35-36 of the specification. Additionally in Example 19(b), the identification of (4,7-Diethyl-indan-2-ylamino) has been amended to (5,6-Diethyl-indan-2-ylamino), in correspondence with the starting material in 19(a).

Similarly in Claim 29 the identification of (4,7-Diethyl-indan-2-ylamino) has been amended to (5,6-Diethyl-indan-2-ylamino), the product of Example 19(b). Additionally, claim 29 has been amended to list each individual compound on separate lines, separated by semi-colons, as suggested by the examiner.

It is submitted that no new matter is added by the foregoing amendments.

Reconsideration and allowance of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

With regard to the missing Abstract, please find submitted herewith an Abstract on a separate sheet.

The rejection of claims 17, 19-21, 23, 26-29 and 31-36 under 35 U.S.C. 112, second paragraph, is respectfully traversed.

-With regard to rejection i), the examiner states that it is not known how many hetero atoms interrupt the alkyl groups. However, the specification at page 2, lines 24-27, provides clear definition of the phrase "alkyl interrupted by one or more hetero atoms".

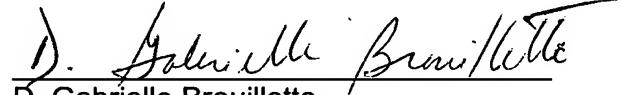
-With regard to rejection ii), the examiner states that "heterocyclic" is indefinite. However, the specification, at page 8, lines 17-27, clearly defines the term "heterocyclic".

-With regard to rejection iii), applicants believe the examiner intended to identify claim 29, not claim 30, and have amended claim 29 in the manner suggested by the examiner.

-With regard to rejection iv), the examiner states that it is unclear which condition is prevented or alleviated by activation of the beta-2 adrenoreceptor. Applicant's respectfully disagree with this assertion. These conditions are well known to those of ordinary skill in the art, and many, but by no means all, of these conditions are mentioned on pages 15 and 16 of the specification.

In view of the foregoing, it is respectfully submitted that all rejections are overcome and the case is in condition for allowance. Early notice to that effect is earnestly solicited.

Respectfully submitted,

  
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